

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

TESSERA, INC.,

Plaintiff,

v.

Civil Action No. 2-05cv-94

**MICRON TECHNOLOGY, INC., a
Delaware corporation, MICRON
SEMICONDUCTOR PRODUCTS, INC., an
Idaho corporation, INFINEON
TECHNOLOGIES RICHMOND, LP, a
Delaware corporation, and INFINEON
TECHNOLOGIES NORTH AMERICA
CORP., a Delaware corporation,**

**The Honorable Leonard Davis
Jury**

Defendants.

**FREESCALE SEMICONDUCTOR, INC.'S
MOTION FOR PROTECTIVE ORDER**

1. Infineon Technologies AG (“Infineon”) has given notice to Freescale Semiconductor, Inc. (“Freescale”) of its intention to produce a confidential patent license agreement between Freescale and Infineon in the above-identified case under the terms of the protective order entered on July 29, 2005.

2. The protective order entered on July 29, 2005, allows disclosure of confidential information to designated house counsel, which includes house counsel for Tessera, Inc. (“Tessera”) and Micron Technology, Inc. (“Micron”).

3. Freescale objects to the production of the patent license agreement under the terms of the July 29, 2005 protective order to the extent that it allows disclosure of confidential information to anyone other than outside counsel representing the parties to this litigation matter,

including but not limited to Tessera's designated house counsel: 1) Chris Pickett, Senior Vice President of Licensing and General Counsel; and 2) Scot Griffin, Vice President of Intellectual Property and Licensing.

4. Freescale is currently in patent licensing negotiations with Tessera's house counsel and disclosure of its patent licensing agreement with Infineon could prejudice Tessera's discussions with Freescale.

5. Freescale understands that counsel for Infineon and Tessera are currently drafting an amended protective order, which would permit disclosure of confidential information to outside counsel eyes only, but protective order will not be filed prior to Freescale's deadline to reserve its right to an objection.

PRAYER

For these reasons, Freescale asks the Court to enter a protective order that will limit production of the confidential patent license agreement between Freescale and Infineon to outside counsel eyes only and for such other and further relief as Freescale may show itself justly entitled.

Respectfully submitted,



Peter M. Roossien
State Bar No. 00791567

Dated: September 19, 2005

FREESCALE SEMICONDUCTOR, INC.
7700 W. Parmer Lane, MD: PL02
Austin, Texas 78729
512.996.4289 direct

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was filed electronically with the court and served via facsimile this 19th day of September 2005 on the following.



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Defendants.

ORDER

On this ____ day of _____, 2005, the court considered Freescale Semiconductor, Inc.'s Motion for Protective Order and is of the opinion that such motion shall be and is hereby GRANTED. Documents produced by Freescale Semiconductor, Inc. shall be confidential and limited to review by outside counsel retained by parties to the above referenced litigation matter.

IT IS SO ORDERED.

Dated: _____

The Honorable Leonard Davis
United States District Court